

1 **BATHAEE DUNNE LLP**
2 Yavar Bathaee (CA 282388)
3 yavar@bathaeedunne.com
4 Andrew C. Wolinsky (CA 345965)
5 awolinsky@bathaeedunne.com
6 445 Park Avenue, 9th Floor
7 New York, NY 10022
8 (332) 322-8835

9 Brian J. Dunne (CA 275689)
10 bdunne@bathaeedunne.com
11 Edward M. Grauman (*pro hac vice*)
12 egrauman@bathaeedunne.com
13 901 S. MoPac Expressway
14 Barton Oaks Plaza I, Suite 300
15 Austin, TX 78746
16 (213) 462-2772

17 *Interim Co-Lead Counsel for the
18 Advertiser Classes*

19 **SCOTT+SCOTT ATTORNEYS AT LAW LLP**
20 Amanda F. Lawrence (*pro hac vice*)
21 alawrence@scott-scott.com
22 Patrick J. McGahan (*pro hac vice*)
23 pmcgahan@scott-scott.com
24 Michael P. Srodoski (*pro hac vice*)
25 msrodoski@scott-scott.com
26 156 South Main Street, P.O. Box 192
27 Colchester, CT 06415
28 Tel.: (860) 537-5537

29 Patrick J. Coughlin (CA 111070)
30 pcoughlin@scott-scott.com
31 Carmen A. Medici (CA 248417)
32 cmedici@scott-scott.com
33 Hal D. Cunningham (CA 243048)
34 hcunningham@scott-scott.com
35 Daniel J. Brockwell (CA 335983)
36 dbrockwell@scott-scott.com
37 600 W. Broadway, Suite 3300
38 San Diego, CA 92101
39 Tel.: (619) 233-4565

40
41 UNITED STATES DISTRICT COURT
42
43 NORTHERN DISTRICT OF CALIFORNIA
44
45 SAN FRANCISCO DIVISION

46 MAXIMILIAN KLEIN, et al.,

47 Case No. 3:20-cv-08570-JD

50 Plaintiffs,

51 Hon. James Donato

54 v.

55 **DECLARATION OF BRIAN J. DUNNE
56 IN OPPOSITION TO OMNIBUS MOTION
57 TO SEAL MATERIALS SUBMITTED IN
58 CONNECTION WITH CLASS
59 CERTIFICATION AND *DAUBERT*
60 BRIEFING AND MERITS EXPERT
61 PROFFERS IN THE ADVERTISER CASE**

64 META PLATFORMS, INC.,

67 Defendant.

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1 I, Brian J. Dunne, declare and state as follows:

2 1. I am an attorney licensed in the State of California and admitted to the United States
3 District Court for the Northern District of California. I am a partner at Bathaee Dunne LLP, counsel for
4 the Advertiser Plaintiffs in the above-captioned matter. I have personal knowledge of the facts set forth
5 herein and, if called as a witness, could and would testify competently to them.

6 2. This declaration is made in opposition to the Omnibus Motion to Seal Materials
7 Submitted in Connection with the Class Certification and Daubert Briefing in the Advertiser case
8 (“Sealing Motion”).

9 3. The specific information Meta seeks to seal and the reason each should not be sealed are
10 identified in the tables below, with numbered rows for the Court’s ease of reference:

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
1	795-01		
2	795-01		
3	795-01		

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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
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4	795-01		
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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
13	795-01		
14	795-01		
15	795-01		<p>Public: People-based advertising: https://www.facebook.com/business/news/insights/the-future-of-marketing-people-based-planning-and-measurement Facebook User Matching: https://dl.acm.org/doi/fullHtml/10.1145/3543507.3583311</p>
16	795-01		<p>Public: Audience Network shows ads to FB users off FB: https://lunio.ai/glossary/facebook-audience-network/</p>
17	795-01		<p>Public: Audience Network shows ads to FB users off FB: https://lunio.ai/glossary/facebook-audience-network/</p>
18	795-03		
19	795-03		

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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
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4	20	[REDACTED]	[REDACTED]
5		[REDACTED]	[REDACTED]
6		[REDACTED]	[REDACTED]
7		[REDACTED]	[REDACTED]
8	21	[REDACTED]	[REDACTED]
9		[REDACTED]	[REDACTED]
10		[REDACTED]	[REDACTED]
11		[REDACTED]	[REDACTED]
12	22	[REDACTED]	[REDACTED]
13		[REDACTED]	[REDACTED]
14		[REDACTED]	[REDACTED]
15		[REDACTED]	[REDACTED]
16	23	[REDACTED]	[REDACTED]
17		[REDACTED]	[REDACTED]
18	24	[REDACTED]	[REDACTED]
19		[REDACTED]	[REDACTED]
20	25	[REDACTED]	[REDACTED]
21		[REDACTED]	[REDACTED]
22		[REDACTED]	[REDACTED]
23		[REDACTED]	[REDACTED]
24	26	[REDACTED]	[REDACTED]
25		[REDACTED]	[REDACTED]
26	27	[REDACTED]	[REDACTED]
27		[REDACTED]	[REDACTED]
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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
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9	28	795-08	
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12			
13	29	795-10	
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15	30	795-16	
16	31	795-17	
17	32	795-19	
18	33	795-19	Public: https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/ https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
19	34	795-19	
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22	35	795-19	
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25	36	795-19	
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27	37	795-19	
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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
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4	38 801-01		
5	39 801-01		
6	40 801-01		
7	41 801-01		
8	42 801-01		
9	43 801-01		
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13			
14			
15	44 801-02		
16	45 801-02		
17	46 801-02		
18	47 801-02		
19	48 801-02		
20	49 801-02		Public: https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/ https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
21			
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25	50 801-02		Public: https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/ https://www.tws-partners.com/2019/12/16/how-
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1			
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3			facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
4	51	801-02 [REDACTED]	Public: https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/ https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
5			
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8	52	801-02 [REDACTED]	Public: https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/ https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
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12	53	801-04 [REDACTED]	[REDACTED]
13	54	801-04 [REDACTED]	[REDACTED]
14	55	801-04 [REDACTED]	[REDACTED]
15	56	801-04 [REDACTED]	[REDACTED]
16	57	801-04 [REDACTED]	[REDACTED]
17	58	801-04 [REDACTED]	[REDACTED]
18	59	801-04 [REDACTED]	[REDACTED]
19	60	801-04 [REDACTED]	[REDACTED]
20	61	801-04 [REDACTED]	[REDACTED]
21	62	801-04 [REDACTED]	[REDACTED]
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23	63	801-04 [REDACTED]	[REDACTED]
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25	64	801-04 [REDACTED]	[REDACTED]
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27	65	801-04 [REDACTED]	[REDACTED]
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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
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4	76	801-04	
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8	77	801-04	
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10	78	801-04	
11	79	801-04	
12	80	801-04	
13	81	801-04	
14			
15	82	801-04	
16	83	801-04	Public: https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
17			
18	84	801-04	Public: https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
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20	85	801-04	Public: https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
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23	86	801-04	Public: https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
24			
25	87	801-04	Public: https://a.sfdcstatic.com/content/dam/www/ocms/assets/pdf/datasheets/sc_decode-thefacebook-auction.pdf
26			
27	88	801-04	Public: https://www.tws-
28			

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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
1			
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3			partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
4	801-04		Public: https://www.twspartners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
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7	801-04		Public: https://www.twspartners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
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9	801-04		Public: https://www.twspartners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
10			
11	801-04		Public: https://www.twspartners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
12			
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14	801-04		Public: https://www.twspartners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
15			
16	801-04		Public: https://www.jstor.org/stable/3590361
17			
18	801-04		Public: https://www.jstor.org/stable/3590361
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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
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4	102	801-04	
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6	103	801-04	
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10	105	801-06	
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12	106	801-06	
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14	107	801-06	
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16	108	801-06	
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18	109	801-06	
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20	110	801-07	
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22	111	801-07	
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24	112	801-07	
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26	113	801-07	
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28	114	801-07	
	115	801-07	
	116	801-11	

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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
117	801-11	[REDACTED]	[REDACTED]
118	810-03 & 813-03	[REDACTED]	[REDACTED]
119	810-03 & 813-03	[REDACTED]	[REDACTED]
120	810-03 & 813-03	[REDACTED]	[REDACTED]
121	810-03 & 813-03	[REDACTED]	[REDACTED]
122	810-03 & 813-03	[REDACTED]	[REDACTED]
123	810-03 & 813-03	[REDACTED]	[REDACTED]
124	810-03 & 813-03	[REDACTED]	[REDACTED]
125	810-03 & 813-03	[REDACTED]	[REDACTED]
126	810-03 & 813-03	[REDACTED]	[REDACTED]
127	810-03 & 813-03	[REDACTED]	[REDACTED]
128	810-03 & 813-03	[REDACTED]	[REDACTED]
129	810-03 & 813-03	[REDACTED]	[REDACTED]
130	810-03 &	[REDACTED]	[REDACTED]

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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
1	813-03		
2	131	810-03 & 813-03	[REDACTED]
3	132	810-03 & 813-03	[REDACTED]
4	133	810-03 & 813-03	[REDACTED]
5	134	810-03 & 813-03	[REDACTED]
6	135	810-03 & 813-03	[REDACTED]
7	136	810-03 & 813-03	Public: https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
8	137	810-03 & 813-03	[REDACTED]
9	138	810-03 & 813-03	[REDACTED]
10	139	810-03 & 813-03	[REDACTED]
11	140	810-03 & 813-03	[REDACTED]
12	141	810-03 & 813-03	Public: https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
13	142	810-03 & 813-03	Public: https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
14	143	810-03	Public: https://www.tws-

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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
1	& 813-03		partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
2	144 810-03 & 813-03		Public: https://www.jstor.org/stable/3590361
3	145 810-03 & 813-03		Public: https://www.jstor.org/stable/3590361
4	146 810-03 & 813-03		Public: https://www.jstor.org/stable/3590361
5	147 810-03 & 813-03		Public: https://www.twspartners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
6	148 810-03 & 813-03		Public: https://www.twspartners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
7	149 810-03 & 813-03		Public: https://www.twspartners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
8	150 810-03 & 813-03		Public: https://www.twspartners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
9	151 810-03 & 813-03		Public: https://www.twspartners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
10	152 810-03 & 813-03		Public: https://www.twspartners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/
11	153 810-03 & 813-03		
12	154 810-03 & 813-03		
13	155 810-03		

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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
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3	& 813-03		
4	156 810-03		
5	& 813-03		
6	157 810-03		
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10	159 810-03		
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12	160 810-03		
13	& 813-03		
14	161 810-03		
15	& 813-03		
16	162 810-03		
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18	163 810-03		
19	& 813-03		
20	164 810-03		
21	& 813-03		
22	165 810-03		
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24	166 810-03		
25	& 813-03		
26	167 813-01		
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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
171	824-03		
172	824-03		
173	824-03		
174	Errata to Advertise r Class Rebuttal Report of Catherine Tucker		

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 19, 2024, in Austin, Texas.

/s/ Brian J. Dunne
Brian J. Dunne